



ATTORNEY DOCKET NO. 051252-5197  
Application No. 10/038,623  
Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Sims B. DEMERE et al. ) Confirmation No. 9253  
Application No.: 10/038,623 ) Group Art Unit: 3752  
Filed: January 8, 2002 ) Examiner: S. J. Ganey  
For: FUEL INJECTOR HAVING A )  
FERROMAGNETIC COIL BOBBIN )

U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

AMENDMENT AND REQUEST FOR  
RECONSIDERATION UNDER 37 C.F.R. § 1.111

In response to the non-final Office Action mailed **March 29, 2004**, which period for response extends through June 29, 2004, please amend the application as follows:

06/28/2004 JBALINAN 00000090 500310 10038623  
01 FC:1201 86.00 DA

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JUN 30 2004  
TECHNOLOGY CENTER R3700



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Application No.: 10/038,623

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U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop **Amendment**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT AND REQUEST FOR RECONSIDERATION  
UNDER 37 C.F.R. § 1.111 TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the non-final Office Action dated March 29, 2004.
2. Additional papers enclosed:

Drawings:  Formal  Informal  
 Information Disclosure Statement  
 Form PTO-1449, \_\_\_\_\_ references included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| Total Months<br><u>Requested</u>      | Fee for<br><u>Extension</u> | [Fee for Small<br>Entity] |
|---------------------------------------|-----------------------------|---------------------------|
| <input type="checkbox"/> one month    | \$ 110.00                   | \$ 55.00                  |
| <input type="checkbox"/> two months   | \$ 410.00                   | \$ 205.00                 |
| <input type="checkbox"/> three months | \$ 930.00                   | \$ 465.00                 |
| <input type="checkbox"/> four months  | \$ 1,450.00                 | \$ 725.00                 |

Extension of time fee due with this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED                                     |                                  |       |                             |               |               |            |
|---|----------------------------------|-------|-----------------------------|---------------|---------------|------------|
|   | Claims Remaining After Amendment |       | Highest No. Previously Paid | Present Extra | at Rate of    | Total Fees |
| Total Claims (37 C.F.R. §1.16(c))                     | 29                               | minus | 29                          | 0             | x \$18 each = | + \$0.00   |
| Independent Claims (37 C.F.R. §1.16(b))               | 4                                | minus | 3                           | 1             | x \$86 each = | + \$86.00  |
| [ ] First presentation of Multiple dependent claim(s) |                                  |       |                             |               | \$280.00      | + \$0.00   |
| SUB-TOTAL =   |                                  |       |                             |               |               | \$86.00    |
| Reduction by ½ for filing by a small entity           |                                  |       |                             |               |               | - \$0.00   |
| TOTAL FEE =   |                                  |       |                             |               |               | \$86.00    |

6. Fee Payment

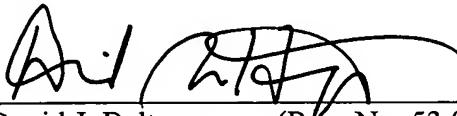
No fee is to be paid at this time.

The Commissioner is hereby authorized to charge the amount of \$ **86.00** for the additional claims fee to Deposit Account No. 50-0310.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: June 24, 2004  
 By:   
 David J. Baltazar (Reg. No. 53,964)

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